

REMARKS

I. Introduction

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Applicants thank Examiner Krass for the courtesy of a telephone interview on March 27, 2007. The amendments and remarks provided herein reflect the content of that interview.

Claims 1-47, 52, and 64 are requested to be canceled. The cancellation of claims does not constitute acquiescence in the propriety of any rejection set forth by the Examiner. Applicants reserve the right to pursue the subject matter of the canceled claims in subsequent divisional applications.

Claim 53 and 58 are currently amended.

Claims 72-75 are new. Support for claims 72-75 can be found throughout the application and in the results from Examples 1-10.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

Upon entry of this Amendment, claims 48-51, 53-63 and 65-75 will remain pending in the application.

Because the foregoing amendments do not introduce new matter, entry thereof by the Examiner is respectfully requested.

II. Response to Issues Raised by Examiner in Outstanding Office Action

a. Claim Rejections - 35 U.S.C. § 112, Second Paragraph

Claims 52 and 53 are rejected by the Examiner under 35 U.S.C. § 112, second paragraph as being allegedly indefinite. The Examiner asserts that the term "rich" is allegedly

unclear. Office Action, p. 4. Applicants have canceled claim 52 rendering the rejection moot. Applicant respectfully requests reconsideration and withdrawal of the rejection.

b. Claim Rejections - 35 U.S.C. § 112, First Paragraph

Claims 52, 58-62 and 68-70 are rejected by the Examiner under 35 U.S.C. § 112, first paragraph for lack of written description. The Examiner asserts, "Nowhere does the instant specification specify which particular genera have high Phase II enzyme-inducing potential, other than cruciferous plants." See Office Action, pp. 2-3. Applicants disagree with the Examiner, but in order to expedite prosecution Applicants have amended claim 58 to recite a method of making a food product from cruciferous plants. Applicants believe this amendment along with the cancellation of claim 52 fully addresses the Office's rejections.

Applicant respectfully requests reconsideration and withdrawal of the rejection.

CONCLUSION

The present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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